

DOCKET NO: 216745US0



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
BARDO SCHMITT, ET AL. : EXAMINER: PAUL ZUCKER
SERIAL NO: 10/068,849 : ALLOWED DATE: MARCH 15, 2004
FILED: FEBRUARY 11, 2002 : GROUP ART UNIT: 1621
FOR: PROCESS FOR MANUFACTURING :
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

PETITION UNDER 37 C.F.R. 1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

These documents were crossed-out and "no translation" was indicated next to each citation. 37 C.F.R. 1.98(C)(i) indicates that a "concise explanation of the relevance" of documents not in the English language be provided. The Applicants have provided a concise explanation of each of these documents in the specification, and the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

Application No. 10/068,849
Petition Under 37 C.F.R. 1.181

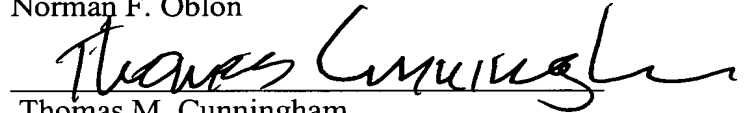
convenience of the Examiner a copy of the previously-filed Information Disclosure Statement, Statement of Relevancy and the date-stamped filing receipt is attached to this petition.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

A handwritten signature in black ink, appearing to read "Thomas M. Cunningham", is written over a horizontal line.

Thomas M. Cunningham
Attorney of Record
Registration No. 45,394

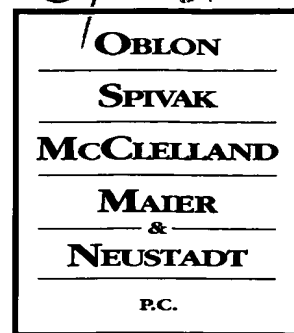
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(OSMMN 08/03)



Docket No.: 216745US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/068,849
Applicants: Bardo SCHMITT, et al.
Filing Date: February 11, 2002
Allowed Date: March 15, 2004
For: PROCESS FOR MANUFACTURING
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES
Group Art Unit: 1621
Examiner: Paul Zucker

SIR:


Attached hereto for filing are the following papers:

Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure Statement, PTO 1449 and Statement of Relevancy filed June 13, 2002

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

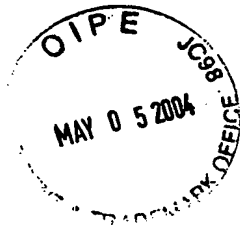


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Dept.: CHEMICAL

By: NFO:JKP:slj *slj*

OSMM&N File No. 216745US0

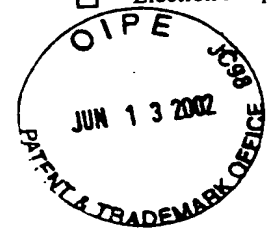
Serial No. 10/068,849

In the matter of the Application of: Bardo SCHMITT, et al.

For: **PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- | | | | |
|-------------------------------------|--|------------------------------|---------------------------------|
| <input type="checkbox"/> | pp. Specification | Claims/Drawings | Sheets |
| | and | Pages Application Data Sheet | pages |
| <input type="checkbox"/> | Combined Declaration, Petition & Power of Attorney | | |
| <input type="checkbox"/> | List of Inventor Names and Addresses | | |
| <input type="checkbox"/> | Utility Patent Application Transmittal | | |
| <input type="checkbox"/> | Notice of Priority | | |
| <input type="checkbox"/> | Check for | | |
| <input type="checkbox"/> | Fee Transmittal Form | | |
| <input type="checkbox"/> | Assignment/PTO 1595 pages: | | |
| <input type="checkbox"/> | Letter to Official Draftsman | | |
| <input type="checkbox"/> | Letter Requesting Approval of Drawing Changes | | |
| <input type="checkbox"/> | Drawings | sheets | <input type="checkbox"/> Formal |
| <input type="checkbox"/> | Letter | | |
| <input type="checkbox"/> | Amendment | | |
| <input checked="" type="checkbox"/> | Information Disclosure Statement | | |
| <input checked="" type="checkbox"/> | Cited References (9) | | |
| <input type="checkbox"/> | Search Report | | |
| <input checked="" type="checkbox"/> | Statement of Relevancy | | |
| <input type="checkbox"/> | IDS/Related/List of Related Cases | | |
| <input type="checkbox"/> | Restriction Response | | |
| <input type="checkbox"/> | Rule 132 Declaration | | |
| <input type="checkbox"/> | Petition for Extension of Time | | |
| <input type="checkbox"/> | Notice of Appeal | | |
| <input type="checkbox"/> | Brief | | |
| <input type="checkbox"/> | Issue Fee Transmittal | | |
| <input type="checkbox"/> | White Advance Serial Number Card | | |
- ☐ CPA
☐ Priority Doc
☒ Dep. Acct. Order Form
- ☒ PTO-1449
- ☐ Cited Pending Applications
- ☐ Election Response



Due Date: June 13, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bardo SCHMITT, et al.

SERIAL NO: 10/068,849

FILED: February 11, 2002

FOR: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

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John K. Pike, Ph.D.

Registration No. 41,253



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MAY 0 5 2004

SHEET 1 OF 1

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

216745US0

SERIAL NO.

10/068,849

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Bardo SCHMITT, et al.

FILING DATE

February 11, 2002

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	4 781 868	11/1/88	Langerbeins (corresponds to DE 35 44 765)			
	AB	4 874 558	10/17/89	Fife et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	SU 228016	5/12/69	SOVIET UNION		✓
	AP	DE 35 10 035	9/25/86	GERMANY		✓
	AQ	DE 35 44 765	6/19/87	GERMANY (w/English Abstract; corresponds to US 4 781 868)		✓
	AR	FR 2 592 040 ✓	6/26/87	FRANCE		✓
	AS	DE 36 44 222 ✓	7/30/87	GERMANY		✓
	AT	WO 95/32940	12/7/95	WIPO		
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

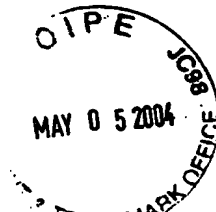
	AW	D. PLUSQUELLEC, et al., "A New Synthesis of Carboxylic and Carbonic Acid Anhydrides using Phase Transfer Reactions", TETRAHEDRON, vol. 44, No. 9, pp 2471-2476, 1988.				
	AX					
	AY					
	AZ					<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Bardo SCHMITT, et al. :

SERIAL NO.: 10/068,849 :

FILED: February 11, 2002 :

FOR: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

STATEMENT OF RELEVANCY

The references cited on the attached Form PTO-1449:

Reference AO (SU 228016):

This reference is discussed on page 2, line 3 of the specification.

Reference AP (DE 35 10 035):

This reference is discussed on page 1, line 11 and page 2, line 9 of the specification.

Reference AQ (DE 35 44 765):

This reference is discussed on page 2, line 5 of the specification.

Reference AR (FR 2 592 040):

This reference is discussed on page 1, line 19 and page 2, line 10 of the specification.

Reference AS (DE 36 44 222):

This reference is discussed on page 2, line 12 and page 4, line 9 of the specification.